IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

FRIDAY, THE 30TH MARCH 2007 / 9TH CHAITHRA 1929

WP(C).No. 29625 of 2004(B)

PETITIONER:

**(C.N.SUKUMARAN, (RTD. OPERATOR,
GENERATION SUB DIVISION, K.S.E.B., PANNIYAR),
RESIDING AT CHENAPPADIYIL, CHENKULAM P.O.,
MUTHUVANKUDY, IDUKKI DISTRICT.) EXPIRED.**

<u>Impleading Petitioner</u>:-

**LALITHA, W/O.C.N.SUKUMARAN,
CHENAPPADIYIL, MUTHUVANKUDY,
SENGULAM P.O., IDUKKI DISTRICT.**

**(Impleaded as the legal heir of deceased C.N.Sukumaran
as per order in IA.No.5407/2006 dtd.7-4-2006.)**

**BY ADV. DR.K.P.SATHEESAN
SRI.K.K.GOPINATHAN NAIR
SRI.M.R.JAYAPRASAD
SRI.K.K.RAJEEV
SMT.C.V.RAJALAKSHMI**

RESPONDENTS:

**1. KERALA STATE ELECTRICITY BOARD,
REP. BY ITS SECRETARY, VYDHUTHI BHAVAN,
PATTOM, THIRUVANANTHAPURAM.**

**2. THE CHIEF ENGINEER (HRM),
KERALA STATE ELECTRICITY BOARD,
THIRUVANANTHAPURAM.**

**3. THE DEPUTY CHIEF ENGINEER,
KERALA STATE ELECTRICITY BOARD,
GENERATION CIRCLE,
MEENCUT, CHITHIRAPURAM, IDUKKI.**

BY ADV. SRI.JOSE J.MATHEIKEL, SC, KSEB

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 30/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No.29625/2004-B.

Petitioner's Exhibits:-

P1: Copy of the memo dtd.30-4-2003 issued by the Chief Engineer, Generation Circle.

P2: Copy of the Pay Circulation Form dtd.7-4-2003 issued by the Asst. Accounts Officer, Pay Fixation, KSEB.

P3: Copy of the Judgment dtd.9-6-2004 in WP(C).No.3548/2003.

P4: Copy of the Order dtd.17-9-2004 issued by the Accounts Officer, Pension Authorisation.

P5: Copy of the representation dtd.24-9-2004.

Respondents' Exhibits:- Nil.

True copy

kvs/-

P.A. TO JUDGE.

KURIAN JOSEPH, J.

W.P.(C) No.29625 of 2004

Dated 30th March, 2007.

J U D G M E N T

The writ petition is filed mainly with the following prayers :-

> (i) "To issue a writ of mandamus or order or direction to the respondents to pay the arrears of dearness allowance due to the petitioner from 1998 onwards till the date of his retirement.
>
> (ii) To issue a writ of mandamus or order or direction to the respondents to pay the arrears of wages due to the petitioner to the grade promotion as Operator Grade-A.
>
> (iii) To issue a writ of mandamus or order or direction to the respondent to pay the entire arrears of wages due to the latest wage revision of 1997."

There is also a prayer for interest. It is seen that the petitioner has pursued the matter as per Ext.P5 before the first respondent. There will be a direction to the first respondent to look into Ext.P5 with notice to the additional petitioner and pass appropriate orders thereon in accordance with law, within three months from the date of production of a copy of the judgment. The benefits, if any to which the petitioner is found eligible on such consideration shall be disbursed within another one month.

KURIAN JOSEPH, JUDGE.

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KURIAN JOSEPH, J

O.P.No. of 2002

J U D G M E N T

Dated 30th March, 2007.